

Anthony DeFranco CZ-3518  
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FILED

Honorable Judge Paradise Baxter 06 AUG 17 P1:04  
United States District Court  
17 South Park Row, Rm. A280  
Erie, Pa. 16501

CLERK  
U.S. DISTRICT COURT

August 15, 2006

Re: DeFranco v. Wolfe, et al. No. 04-230-E  
Letter Brief


Dear Judge Baxter:

I have received this date your Order for a hearing scheduled for August 24, 2006. I have also received the defendants Responses to my request for a Rule 56(f) Continuance and issuance of subpoena's. In reply, I am attaching a copy of the letter I mailed counsel regarding the subpoena I had sent Dr. Pulmuller on July 24, 2006. I had also notified counsel of my intent to file a subpoena upon the records custodian here but have misplaced the copy of that specific letter.

Also enclosed please find my letter to counsel requesting that the scheduled 8/24/06 hearing be conducted outside of my counselor's office. As the Court is aware, she was an adverse witness and testified at the preliminary injunction hearing. Moreover, she is my counselor and should not be over-hearing half of the Court proceedings. This also has a chilling effect as I feel that I can not freely speak due to her being my counselor and past (and perhaps future) witness for the defendants. I simply want counsel to arrange the conference call to be made outside of her office. It would not be unduly burdensome as there are numerous telephone outlets here at Albion. As stated, speaking in front of her about this case makes me uneasy and not able to fully state what needs to be said. Thank you for your attention to this very important matter.

Your Honor, I realize that the defendants have exaggerated your and Judge Cohill's Order about my "frivolous" motions; I am a pro se inmate and this is the first lawsuit I have filed. My intentions are not to upset the Court, I just want to be sure I am preserving my rights. The defendants have used your past statements in attempts to gain further advantage over my pleadings. I cannot help that I am not a lawyer such as Attorney Friedline and am taking strong antipsychotic medications. I ask for the Court's understanding in this situation.

Respectfully submitted,

  
Anthony DeFranco CZ-3518

C: Attorney General's Office

Anthony DeFranco CZ-3518  
10745 Route 18  
Albion, Pa. 16475-0002

Attorney General's Office  
564 Forbes Ave., Manor Complex  
Pittsburgh, Pa. 15219

July 24, 2006

Re: DeFranco v. Wolfe, et al., No. 04-230-E

Dear Attorney Friedline:

Enclosed please find my subpoena issued to Dr. Pulmuller. I am mailing it this date to Central Office as he is the Administrative Doctor for the Western Region. I need to have his progress notes deciphered as it bears directly upon this case and the z-code.

Your attention to this is appreciated.

Very truly yours,

Anthony DeFranco

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Attorney General's Office  
564 Forbes Ave., Manor Complex  
Pittsburgh, Pa. 15219

August 15, 2006

Re: DeFranco v. Wolfe, et al., No. 04-230-E

Dear Attorney Friedline:

I am writing in regards to the Court's recent Order for a hearing to be held on August 24, 2006. As I have asked on a repeated basis, I am requesting that this call, and all subsequent Court calls, be conducted outside of my counselor's office and presence. As I have stated previously, she was a witnesses for your office previously and her presence (hearing at least half of the confidential Court hearing) has a chilling effect on my speaking freely.

As you are aware, there are numerous telephones available that can be utilized here that would not prejudice me; and would not be at all unduly burdensome (indeed, SCI Albion has a phone conference room in Intake area that is used for Court related hearings). Your attention to this is very much appreciated. I think that it is only fair due to the circumstances of this case and my counselor's prior involvement in this case. Obviously, setting the conference call this way will lead to my not needing to make objections during the hearing and using valuable Court time. Thank you for your attention to this.

Very truly yours,

Anthony DeFranco

C: Judge Cohill